

Order

Michigan Supreme Court
Lansing, Michigan

March 24, 2008

135346

IN RE ESTATE OF ERNEST J. LAGER

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 135346
COA: 276843
Genesee CC: 06-084673-AV
Genesee PC: 05-177007-DE

On order of the Court, the application for leave to appeal the October 19, 2007 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of whether the probate court had jurisdiction to determine the disposition of the decedent's General Motors personal savings plan ("PSP") and, if so, whether the respondent, as the surviving wife of the decedent, is entitled to the proceeds of the PSP pursuant to 29 U.S.C. § 1055(c). On remand, the Court of Appeals may, while retaining jurisdiction, remand this case to the Genesee Probate Court for any necessary additional proceedings or hearings.



s0317

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 24, 2008

Corbin R. Davis

Clerk